IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR

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PRESENT

-

THE HON'BLE MR JUSTICE B.PRAKASH RAO

-

WRIT PETITION NO : 20197 of 1994

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Between:

1 Golla Huzuranna, S/o NAganna,
R/o vundavalli (V), Monapad (M), Mahabubnagar Dist
2 Golla Venkateswarlu, S/o Huzuranna,
R/o Vundavalli (V), Monapad (M), Mahabubnagar Dist
3 Piduguramudu, S/o Huzuranna,
R/o Vundavalli (V), Monapad (M), Mahabubnagar Dist

..... PETITIONERS

AND

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1 The Mandal Revenue Officer,
Monapad (M), Mahaboobnagar Dist.
2 Chakali Venkateswarlu, s/o Sanjanna,
R/o Vundavelli (V), Monapad (M), Mahaboobnagar Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction, particularly one in the nature of writ of Mandamus declaring the action of the 1st respondent in not issuing pass books under Records of Rights Act in favour of the petitioners ion respect of lands in survey No.351 to the

extent of Ac.12.32 gts, situated in Vundavalli (V), Monapad (M), Mahaboobnagar Dist as illegal, arbitrary and consequently direct the respondents to issue the pass book to the petitioners and pass

Counsel for the Petitioner: MR.A.PRABHAKAR RAO

Counsel for Respondent No.1: GP FOR REVENUE

Counsel for Respondent No.2: A. Sudershan Reddy.

The Court Made the Following ORDER:

Heard both sides.

In this writ petition, the petitioners seek to issue a Writ of Mandamus declaring the action of the first respondent in not considering their case for grant of pattadar pass books under Records of Rights Act, in respect of land in S.No.351 to the extent of Ac.12.32 gts, situated in Vundevelli village, Monapad Mandal, Mahabubnagar District as illegal and arbitrary.

The case of the petitioner is that they have purchased the said land under a registered sale deed dated 24-6-1981 and submitted an application to the Revenue Divisional Officer, Gadwal for grant of occupancy certificate under Inam Abolition Act. The Revenue Divisional Officer after conducting due enquiry granted occupancy certificate in favour of the petitioners by his proceedings dated 9-10-1987. Since then they have been in possession and enjoyment of the said land. Subsequently, against the very same land an occupancy certificate was issued by the Sub-Collector, Gadwal to the second respondent herein, against which, the petitioners filed an appeal before the Joint Collector, Mahabubnagar. The said appeal was allowed by the Joint Collector vide proceedings dated 20-3-1993. Thereafter, the petitioners filed

application for grant of pattadar passbooks, before the first respondent. The first respondent neither conducted any enquiry nor issued pattadar passbooks in their favour.

No counter affidavit has been filed by the respondents.

Having considered the submissions made by the learned counsel for the petitioners and also a perusal of the material on record it is evident that the petitioners' application is still pending before the first respondent.

In view of the same, it would be suffice in the interest of justice to direct the first respondent herein to pass appropriate orders on the application filed by the petitioners, in regard to grant of pattadar passbooks in favour of the petitioners in pursuance of the land in question, after holding enquiry and giving opportunity to the petitioners, within a period of three months from the date of receipt of a copy of this order.

Accordingly the Writ Petition is disposed of. No costs.

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B. Prakash Rao, J.

8th July, 2004

js.

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1 The Mandal Revenue Officer,
Monapad (M), Mahaboobnagar Dist.
2 Two CCs to G.P. for Revenue, High Court Buildings, High

Court of A.P., Hyderabad.(OUT)

3 2 CD copies.